

PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

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Consensus Recommendation: 03-01

Submitted for Discussion by Community Concerns Subcommittee August 15, 2002

Title: Compensation for Landowners

Background:

Operations at the Paducah Gaseous Diffusion Plant have led to contamination in the area around the plant. Past evidence shows that private wells and land have been contaminated.

Concern:

Contamination may have diminished the value of some nearby private property.

Recommendation:

There are well-defined areas of contamination, underground and on the surface and some of these areas of contamination are unquestionably linked to operations at the Paducah Gaseous Diffusion Plant (i.e., groundwater plumes). Therefore, the Department of Energy (DOE) should take the initiative to compensate landowners where there is loss of value. We recommend that DOE develop a plan, subject to approval by the Citizens Advisory Board and the public, to retain the services of several property appraisers who will assess damage and property value. DOE should then offer to pay landowners in the affected area for damage. This payment would not prevent additional claims by individuals for personal injury or property damage that is currently unknown.¹

Approved by Consensus February 20, 2003

¹ The intent of the recommendation is to allow landowners who owned groundwater wells that have been closed due to contamination from the plant to collect damages from the loss of use of that resource without waiving any other rights to use all legal means to seek compensation for other damages they may have suffered. We believe that people who have lost the use of their wells should be compensated for that loss, but that such compensation should not result in that party losing their right to seek compensation for other damages, such as health problems, loss of land values, and other possible losses. Thus, this recommendation is to be narrowly construed to only apply to groundwater contamination which has resulted in the loss of use of that resource.